

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BLUEFIELD

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:22-00206

KALEB MERRITT

MEMORANDUM OPINION AND ORDER

Pending before the court are defendant's letter form motions asking the court for home detention beginning on January 28, 2025. (ECF Nos. 34 and 35). "Once a sentence is imposed, BOP is solely responsible for determining an inmate's place of incarceration. . . . A court has no authority to designate a prisoner's place of incarceration. . . . Because Defendant's request for home confinement alters only the place of incarceration, not the actual term of incarceration, only BOP may grant or deny his request."). Buckman v. Reheman, CIVIL ACTION NO. 1:20-00277, 2021 WL 1168697, at \*2 (S.D.W. Va. Mar. 26, 2021) (quoting United States v. Moore, 3:17-cr-364-MOC-DSC-1, 2021 WL 53349, \*4 (W.D.N.C. Jan. 6, 2021)). Because of this, the court is without power to grant the requested relief and defendant's motions are **DENIED**.\*

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\* If Merritt wishes to challenge the BOP's calculation or execution of his sentence, such a claim may be pursued in a petition under 28 U.S.C. § 2241 and must be filed in the federal district court for the district in which Merritt is confined. See United States v. Haywood, 681 F. App'x 290, 291 n.\* (4th Cir. Mar. 17, 2017); United States v. Miller, 871 F.2d 488, 490 (4th Cir. 1989).

The Clerk is directed to send a copy of this Memorandum Opinion and Order to defendant, counsel of record, and the Probation Office of this court.

It is SO ORDERED this 30th day of December, 2024.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge